

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

GEORGE B. SMITH,	:	
	:	
Plaintiff,	:	Civ. No. 20-10040 (NLH)(JS)
	:	
v.	:	ORDER
	:	
	:	
RICHARD SMITH, et al.,	:	
	:	
Defendants.	:	

1. Federal law requires this Court to screen Plaintiff's Complaint for sua sponte dismissal prior to service, and to dismiss any claim if that claim fails to state a claim upon which relief may be granted under Fed. R. Civ. P. 12(b)(6) and to dismiss any defendant who is immune from suit. See 28 U.S.C. § 1915(e)(2)(B).

2. This Court has screened the Complaint in this action for dismissal and has determined that the Complaint states a Fourteenth Amendment claim under 42 U.S.C. § 1983. Accordingly, dismissal of the complaint is not warranted at this time.

IT IS therefore on this 26th day of August, 2020,
ORDERED that the complaint shall proceed; and it is further
ORDERED that, the Clerk shall mail to Plaintiff a
transmittal letter explaining the procedure for completing
Unites States Marshal ("Marshal") 285 Forms ("USM-285 Forms");
and it is further

ORDERED that, once the Marshal receives the USM-285 Form(s) from Plaintiff and the Marshal so alerts the Clerk, the Clerk shall issue summons in connection with each USM-285 Form that has been submitted by Plaintiff, and the Marshal shall serve summons, the Complaint and this Order to the address specified on each USM-285 Form, with all costs of service advanced by the United States¹; and it is further

ORDERED that Defendant(s) shall file and serve a responsive pleading within the time specified by Federal Rule of Civil Procedure 12; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(e)(1) and § 4(a) of Appendix H of the Local Civil Rules, the Clerk shall notify Plaintiff of the opportunity to apply in writing to the assigned judge for the appointment of pro bono counsel; and it is further

ORDERED that, if at any time prior to the filing of a notice of appearance by Defendant(s), Plaintiff seeks the appointment of pro bono counsel or other relief, pursuant to Fed. R. Civ. P. 5(a) and (d), Plaintiff shall (1) serve a copy of the application by regular mail upon each party at his last

¹ Alternatively, the U.S. Marshal may notify Defendant(s) that an action has been commenced and request that the defendant(s) waive personal service of a summons in accordance with Fed. R. Civ. P. 4(d).

known address and (2) file a Certificate of Service²; and it is finally

ORDERED that the Clerk of the Court shall send a copy of this Order to Plaintiff by regular U.S. mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.

² After an attorney files a notice of appearance on behalf of a Defendant, the attorney will automatically be electronically served all documents that are filed in the case.